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**From:** Walter Lamb [landtrust@ballona.org]  
**Sent:** 6/21/2019 7:35:39 PM  
**To:** Ballona Wetlands [landtrust@ballona.org]  
**Subject:** Statutory authority, AB 1511, EPA eval

Dear GB members,

The unanswered question by a Governing Member yesterday about the statutory authority of the Commission regarding the Ballona Wetlands goes to the heart of stakeholder concerns that we have been raising for many, many years now. While the Commission **does not** have statutory authority to impose its judgement on the lead agencies, it clearly **does** have a statutory mandate to coordinate and advise lead agencies on projects to restore the Bay and its watershed, such as the Ballona Wetlands. It is not a minor issue that the Bay Foundation used its influence to convince the Commission, wrongly, that it could not adopt positions on this project in order to advise the lead agencies on issues such as special interest construction proposals, interim access and stewardship, unpermitted drains, commercial parking, best practices for invasive species management, the range of restoration alternatives analyzed in the EIR, and numerous other issues affecting this natural public resource. The local leadership vacuum created when the Foundation terminated the Commission's historic involvement with this project has directly and substantially impeded progress for this natural resource.

The true purpose of AB 1511 is to blunt stakeholders' attempts to re-engage the Commission on the Ballona Wetlands as the non-regulatory, local state agency created to coordinate and advise this type of project. While the language seems innocuous, the intent is to moot the legislative history behind the Commission's existing statute, which clearly outlines the legislature's intent for a single state agency to coordinate and advise bay restoration efforts. There is a reason that this bill was filed without consulting the Commission and it isn't because the Foundation and Conservancy suddenly realized on February 22, the day after a Governing Board meeting, that the new action plan adopted back in October 2018 called for a change in what agency provides administrative support to the Commission.

Yesterday's presentation by EPA staff was designed to further the narrative that the Foundation is performing so exceptionally well that the Commission need only applaud in support. However, EPA's limited evaluation criteria doesn't cover the areas of concern raised by stakeholders regarding current and planned projects and management decisions at the Ballona Wetlands. While there is no question that the Bay Foundation deserves credit for managing many projects, for leveraging partnerships, and for its administrative capabilities, the public deserved a more objective, level-headed assessment than what was provided yesterday. We also deserve answers to the questions we have been asking about the invasive species removal project. We have grown accustomed to these highly scripted presentations, and they only reinforce the importance of objective, fact-based policy discussions relating to the Ballona Wetlands.

Regards,

Walter

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